**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 3114 OF 2006**

**IN**

**WRIT PETITION NO. 6168 OF 2003**

Virdichand Synthetic. .. Petitioner.

vs.

Sandeep Synthetic & Ors. . .. Respondents.

Mr. H.K. Meghani for petitioner.

Mr. P.D. Dalvi for Respondent No. 1.

**CORAM : A.P. DESHPANDE, J.**

**DATE : 20th December, 2006.**

P.C.

. The learned counsel for the petitioner seeks permission to delete respondent no. 2 in the main petition so also in this application. Deletion permitted at the risk of the petitioner.

2. By the present application, the petitioner is seeking quashing of an order of dismissal of the writ petition in default and a prayer is made for restoration of the writ petition.

3. For the reasons stated in the application,

the application is allowed. The impugned order is set aside. The writ petition is restored to file.

4. C.A. disposed of.

5. It is made clear that the restoration of the writ petition does not by itself go to restore the interim order. It shall be open for the petitioner to circulate the matter for that. S.O. to 8.1.2007.

**(A.P. Deshpande, J.)**